

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDYMAC BANK, F.S.B.,

Case No.: 07 cv 6865 (LTS)

Plaintiff,

— against —

NATIONAL SETTLEMENT AGENCY, INC.;
STEVEN M. LEFF; RACHEL M. LEFF;
RICHARD A. LEFF; JOHN DOES 1-100,

Defendants.

**ORDER TO SHOW CAUSE TO
COMPEL JPMORGAN CHASE
BANK, N.A. TO DELIVER TO THE
U.S. MARSHAL THE ATTACHED
FUNDS OF STEVEN M. LEFF AND
NATIONAL SETTLEMENT
AGENCY**

**(Fed. R. Civ. P. 64 and NY C.P.L.R.
6214(d))**

Upon the pleadings and papers filed in this action, and the attached declaration of David J. Galalis, sworn to on November 19, 2007, it is hereby:

ORDERED THAT, garnishee JPMorgan Chase Bank, N.A. show cause before this Court at Room 17C, United States Courthouse 500 Pearl Street, New York, NY 10007 on the 6th day of December at 10:00 a.m./p.m., or as soon thereafter as counsel can be heard, why an order should not be entered, pursuant to Fed. R. Civ. P. 64 and NY C.P.L.R. 6214(d), compelling JPMorgan Chase Bank, N.A. to deliver to the U.S. Marshal all funds held by it in the names of defendants Steven M. Leff and National Settlement Agency that were levied upon by way of Order of Attachment on or about August 20, 2007, and it is further

ORDERED that a copy of this Order to Show Cause and the papers upon which it is based shall be served upon all counsel to this action, the U.S. Marshal for the Southern District of New York, and J.P. Morgan Chase Bank, N.A. (at 1 Chase Manhattan Plaza, New York, NY 10005) by hand or overnight delivery, so that the papers are received on or before

November 21, 2007; and it is further


or, in the alternative, deliver a sworn letter denouncing the funds held and stating that Chase is holding the funds as agent of the U.S. Marshal pursuant to Indymac's Order of Attachment

and filed with the Court, with a courtesy copy provided for
Chambers

✓ **ORDERED** that any opposition papers be served upon counsel for the plaintiff by
overnight delivery, ~~within seven~~ ^{no fewer than eight (8)} ^{before} days of the return date on this Order to Show

Cause and that any reply papers be served upon counsel to the defendants, the U.S. Marshal, and
J.P. Morgan Chase Bank, N.A. by overnight delivery, ~~within one day~~ ^{and filed with the Court, with a courtesy copy for chambers} of the return date on this
Order to Show Cause. no fewer than
two days before

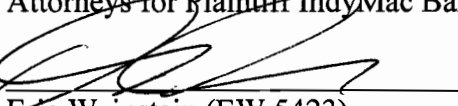
✓ SO ORDERED:


Laura Taylor Swain
United States District Judge

DATED: 11/19/07

FELDMAN WEINSTEIN & SMITH LLP
Attorneys for Plaintiff IndyMac Bank, F.S.B.

By:


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